

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARRINGTON GLOBAL OPPORTUNITY FUND,
LIMITED,

Plaintiff,

21-CV-761 (LGS) (VF)

-against-

ORDER

BOFA SECURITIES, INC., et al.,

Defendants.

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VALERIE FIGUEREDO, United States Magistrate Judge.

Plaintiff is permitted to reclassify Dr. Robert Shapiro from a non-testifying expert to a testifying expert witness on damages. See ECF Nos. 339, 341. However, Plaintiff has not shown good cause for modification of the current expert discovery schedule. See ECF Nos. 349, 350, 368.

The following deadlines for expert discovery continue to apply:

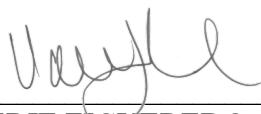
- Plaintiff's deadline to serve its expert reports is **October 8, 2024**.
- Defendants' deadline to disclose the names of the expert(s) and the subject matter of each witness's testimony is **November 7, 2024**.
- Defendants' deadline to serve their expert reports is **December 10, 2024**.
- Plaintiff's deadline to serve its reply expert reports is **December 27, 2024**.
- The deadline for Plaintiff to have presented all experts for deposition is **January 24, 2025**.
- Expert discovery shall be completed by **January 31, 2025**.

To cure any prejudice to Defendants caused by the classification of Dr. Shapiro as a testifying expert, Defendants are permitted to reopen the deposition of Plaintiff's representative, Danny Guy. Consistent with the discussion at the conference on September 26, 2024, Defendants are permitted to question Mr. Guy for up to an additional three hours. Defendants are also entitled to any material concerning Dr. Shapiro that Plaintiff had previously withheld, that is not protected by the attorney-client privilege or work-product doctrine, and that is now properly discoverable given Dr. Shapiro's reclassification as a testifying expert. The deposition of Mr. Guy must occur by October 31, 2024. Any material concerning Dr. Shapiro that is now properly discoverable given his change in status as a testifying expert should be produced to Defendants by October 4, 2024.

The Clerk of Court is respectfully directed to terminate the letter motions at ECF Nos. 339, 341, 349, 350.

SO ORDERED.

DATED: New York, New York
September 26, 2024



VALERIE FIGUEREDO
United States Magistrate Judge